

THE STATE OF ARIZONA

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**GAME AND FISH DEPARTMENT**

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August 31, 2000

Mr. Robert W. Johnson  
Regional Director  
ATTN: Jayne Harkins (LC-4600)  
U.S. Bureau of Reclamation  
P.O. Box 61470  
Boulder City, NV 89006-1470

Re: Draft Environmental Impact Statement for the Colorado River Interim Surplus Criteria

Dear Mr. Johnson:

The Arizona Game and Fish Department (Department) has reviewed the "Draft Environmental Impact Statement, Colorado River Interim Surplus Criteria," dated July 2000. Comments of the Arizona Game and Fish Department are based on the following provisions of Arizona law:

"Wildlife, both resident and migratory, native or introduced, found in this state except fish and bullfrogs impounded in private ponds or tanks or wildlife and birds reared or held in captivity under permit from the commission [Arizona Game and Fish Commission], are property of the state and may be taken at such times, in such manner, and with such devices as provided by law or rule of the commission."

(Arizona Revised Statutes § 17-102)

"The laws of the state relating to wildlife shall be administered by the game and fish department. Control of the game and fish department is vested in the game and fish commission."  
(Arizona Revised Statutes § 17-201)

"The [Arizona Game and Fish] Commission shall:"  
 "2. Establish broad policies and long range programs for the management,  
 preservation and harvest of wildlife."  
 (Arizona Revised Statutes § 17-231)

The Arizona Game and Fish Department, therefore, has a trust responsibility for all fish and wildlife within the territorial jurisdiction of the State of Arizona.

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Further, on October 16, 1987 the Arizona Game and Fish Commission formally adopted the following policy, titled "Riparian Habitat", in open public session:

"It is the policy of the Arizona Game and Fish Commission that the Department shall recognize riparian habitats as areas of critical environmental importance to wildlife and fisheries. The Department shall actively encourage management practices that will result in maintenance of current riparian habitat, and restoration of past or deteriorated riparian habitat...."

The Department is the state wildlife agency for the purposes of consultation by Federal agencies pursuant to provisions of the Fish and Wildlife Coordination Act (16 USC 662 *et seq.*)

1 The Department is concerned about the limited geographic scope of the discussion of effects of the alternatives to aquatic resources and special status species. The analysis should be revised to be complete, including analysis of affects to angling throughout the project area. If impacts to aquatic or special status species are identified after additional analysis, measures to mitigate those impacts should be included. Page specific comments are included herein as an attachment.

We appreciate the opportunity to comments on the referenced document. If you have any question please contact Mr. Bill Werner at 602-789-3607.

Sincerely,



Duane L. Shroufe  
Director

DLS:ww

attachment

1: Potential effects on special-status species that could occur between Hoover Dam and the Southerly International Boundary have been included in Section 3.8 of the FEIS. Potential effects on sport fisheries from potential changes in the temperature of water released from Hoover Dam has been developed and included in Section 3.7.3 of the FEIS. No specific mitigation measures are considered necessary for the impacts identified. However, Section 3.17 has been added to the FEIS to discuss environmental commitments.

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**Attachment  
Arizona Game and Fish Department  
Specific Comments By Page  
Draft Environmental Impact Statement  
Colorado River Interim Surplus Criteria, dated July 2000.**

Page 3.2-1, Section 3.2, paragraph 3

The southerly boundary is described as the Northerly International Boundary. It is not clear why this point on the river is used instead of the Southerly International Boundary at San Luis. If the international boundary along the river is generally the 1972 centerline alignment between the Northerly and Southerly International Boundaries, a significant amount of riparian vegetation, including vegetation providing habitat for the Southwestern willow flycatcher, occurring in the United States, may not have been included in the analysis.

2: The area of potential effect has been expanded for the FEIS to include consideration of the Colorado River 100-year floodplain to the Southerly International Boundary. Potential effects on special-status species have been included in the FEIS in Section 3.8.

Page 3.3-33, Map 3.3-1

"Bil Williams" should be Bill Williams.

3: This change has been made.

Page 3.3-35, Figures 3.3-18 a-d

The heading "Colorado River Seasonal Flows Downstream of Havasu NWR" is not consistent with the location shown on page 3.3-33, Map 3.3-1 for "3. Colorado River at Havasu NWR." The downstream end of Havasu NWR is in Lake Havasu itself. The location marked on Map 3.1 is about at the upstream end of Havasu NWR. The location for which the modeling was completed should be clarified.

4: The headings on Figures 3.3-18a to 3.3-18d are correct. The respective river location shown on Map 3.3-1 has been corrected.

Page 3.3-41, Section 3.3.4.5.3, paragraph 3

The description that

"The river location that was modeled for this reach is located immediately downstream of the Palo Verde Irrigation District."

is not consistent with the location shown on Map 3.3-1 which shows the point just below Palo Verde Diversion dam, at the upstream end of the District. Again, the location for which the modeling was completed should be clarified.

5: The subject river location modeled is immediately downstream of the Palo Verde Diversion Dam. The text has been revised to reflect this location.

Page 3.6-7, Section 3.6.1.3

An explanation should be included of what infrastructure of the Wellton-Mohawk Irrigation and Drainage District has been damaged by historic flood flows on the Colorado River. Such infrastructure is more likely impacted by Gila River flood flows.

6: The description of the affected environment in the reach from Parker Dam to Laguna Dam has been corrected by deleting discussion of the Wellton-Mohawk Irrigation and Drainage District facilities. These facilities are not subject to damage from flooding on the Colorado River.

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Page 3.7-1, Section 3.7.1

It is not clear why the analysis of impacts to aquatic resources is limited to:

"...potential effects to Lake Mead and Lake Powell aquatic species habitat and potential effects to sports fisheries on Lake Powell and Lake Mead."

when the geographic area is described on page 3.2-1:

"...the northern limit of the potentially affected area under consideration in this DEIS is the upper reaches of Lake Powell. The southern limit is the Northerly International Boundary (NIB) between the United States and Mexico."

Effects of the alternatives throughout the area described above should be analyzed and discussed. Without such analysis and discussion impacts to Arizona trust resources may not have been addressed.

Page 3.7-2, paragraph 4

"Upper Basin" should be Upper Basin.

Page 3.7-8, Section 3.7.3.3.2

The statement that:

"The primary sportfish in the Colorado River is rainbow trout."

is in error when the project area is the upper end of Lake Powell to the Northerly International Boundary. Clearly warm water species such as largemouth bass and catfish are found in significant numbers below Hoover Dam. Warm water species in that area are important to many anglers from Arizona, Nevada, and California.

Page 3.8-1, Section 3.8.1

It is not clear why

"...the section addresses only special status species associated with Lake Powell, Lake Mead, the Lower Grand Canyon along the Colorado River, and the lower Virgin River."

when the geographic area is described on page 3.2-1:

"...the northern limit of the potentially affected area under consideration in this DEIS is the upper reaches of Lake Powell. The southern limit is the Northerly International Boundary (NIB) between the United States and Mexico."

7: Although the area of potential effect of interim surplus criteria extends from Lake Powell to the SIB (NIB in DEIS), the resource analysis focuses on more limited areas within the area of potential effect to address specific issues identified as having the potential to be affected by interim surplus criteria. As discussed in response to Comment 38-1, an additional issue associated with sport fisheries and sport fishing has been included in the FEIS.

8: This correction has been made in the FEIS.

9: As discussed in Section 3.7.3 of the DEIS, the section addresses sport fisheries in Lake Powell and Lake Mead only. For the FEIS, additional information regarding sport fishing and the potential effects of interim surplus criteria on the temperature of water released from Hoover Dam and associated effects on sport fishing in the lower Colorado River between Hoover Dam and Lake Mohave has been added to Section 3.7.3. Reclamation has determined that fluctuations in flows below Hoover Dam to the SIB under the alternatives would be within the historical operating range of the river and would, therefore, not affect aquatic resources within this segment. Note also that the statement "the primary sport fish in the Colorado River is the rainbow trout" has been removed.

10: The analysis of effects to special-status species has been revised to include discussion for species that may occur in the potentially affected area from Lake Powell downstream to the SIB.

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Page 3.9-34, Section 3.9.5

- 11 Affects to all fishing in the project area should be addressed not just reservoir fishing. This is a serious issue to the Department.

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- 12 It is not clear what agency:  
"AZ Department of Fish and Wildlife Service"  
refers to. In Arizona, the state wildlife agency, as defined in statute, is the Arizona Game and Fish Department.

11: Reclamation has determined that recreation (including sport fishing) within the river corridor between Glen Canyon Dam and Lake Mead would continue to be addressed through the Adaptive Management Program and would, therefore, not be affected by interim surplus criteria (discussion of this Adaptive Management Program as it relates to sport fishing and recreation has been added to Sections 3.7.3 and 3.9.5 of the FEIS). As stated in Section 3.7.3, it is believed that minor changes in water temperature below Hoover Dam are not expected to adversely affect fish populations. Reclamation has determined that fluctuations in flows below Hoover Dam to the SIB under the alternatives would be within the historical operating range of the river and would, therefore, not affect sport fishing within these areas.

12: The Distribution List has been corrected to read "Arizona Game and Fish Department."

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